

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MALINDA S. SMIDGA,

Plaintiff,

v.

THE UNIVERSITY OF PITTSBURGH  
MEDICAL CENTER, *doing business as*  
UPMC,

Defendant.

Case No. 2:22-cv-01231

Hon. Maureen P. Kelly

Electronically Filed

**DEFENDANT’S MOTION TO COMPEL  
ARBITRATION AND STAY PROCEEDINGS**

Pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1, *et seq.* (“FAA”), Defendant University of Pittsburgh Medical Center (“UPMC”) hereby moves this Court for an Order under Section 3 of the FAA (i) compelling Plaintiff Malinda Smidga to individual arbitration pursuant to the parties’ agreements, and (ii) staying and administratively closing these proceedings until such individual arbitration can occur in accordance with the UPMC Terms. In support of this motion, UPMC incorporates its Brief in Support of its Motion to Compel Arbitration and Stay Proceedings, the Declarations of Joshua Jantz and Brian Susko, and all supporting exhibits thereto.

Dated: October 31, 2022

Respectfully submitted,

/s/ Rebekah B. Kcehowski

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 31st day of October, 2022, a true and correct copy of the UPMC's Motion to Compel Arbitration and Stay Proceedings was filed electronically. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

/s/ Rebekah B. Kcehowski